Staff Report

June 26, 2021
Prepared by Executive Director Toshiko Hasegawa & Project Manager Rosa Mai

June Public Board Meeting: ZOOM

Improving the well-being of Asian Pacific Americans by examining issues, advancing advocacy, and ensuring access to government.
Staff Report  
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Staff report to the Commission covering activities, progress, and updates from March 12, 2021 to June 18, 2021.

1. **STAFF AND COMMISSION ACTIVITY**

   **Staff Update**
   Executive Director Hasegawa began maternity leave on December 22, 2020, and has since transitioned back into her role.

   **Commissioner Activity**
   Commissioners submitted activity reports for the time period of March 12, 2021 – June 18, 2021. Total events reported = 135; Activity Report response rate = 100% (12/12 respondents). Details of Commissioner Activity can be found in Appendix I.

   **Appointments:**
   The Nominations Committee conducted interviews with applicants to join the Commission and forwarded official recommendations for appointment to the Governor’s Office in the month of June. Governor Inslee is reviewing recommendations and conducting background checks on prospective Commissioners and will make an announcement by July 1, when the new terms are effective.

2. **FINANCE**

   The May 2021 Financial Status Report shows CAPAA is in excellent financial condition. CAPAA is projected to underspend its budget by about $20,000 this fiscal year. This underspend is primarily due to lack of travel and savings related to E.D. Hasegawa’s salary.

   CAPAA is currently undergoing an agency accountability audit for FY18-21. An accountability audit evaluates whether a state agency has adhered to applicable federal or state laws, rules, and its own policies and procedures. The process includes auditing records to ensure public funds are accounted for and internal controls are in place to protect public resources from misappropriation and misuse. The audit is scheduled for 180 hours and is planned to begin July 2021.

3. **COMMUNICATIONS**

   **Newsletter:** CAPAA’s newsletter is sent to an e-mail listserv of 2,439 contacts (+36 from March Staff Report)

   **Facebook:**
   2,340 Likes (+284)  
   2,617 Follows (+342)

   **Social Media Content:**
   - Asian American Women’s History discussion with the Washington State Women’s Commission
   - Join the Commission
   - Anti-Asian Hate and Bias
     - Resources for reporting
     - Governor Inslee statement on rise in hate crimes
4. EVENTS

**Asian American Women’s History discussion with the Washington State Women’s Commission**
CAPAA joined the Washington State Women’s Commission (WSWC) on March 29th for a discussion on Asian American Women’s History. Executive Director Hasegawa facilitated a conversation with WSWC Commissioner Grace Huang and Rituja Indapure. The discussion delved into the importance of history, personal storytelling, and contextualization of the Atlanta spa shootings with violence against Asian women. The recording of the discussion is available on the WSWC website and YouTube page, and was shared to CAPAA’s Facebook page.

**Conversations with CAPAA**
CAPAA continued its Conversations with CAPAA series, holding a number of Facebook Live conversations with various community leaders throughout May and June. Our guest speakers were as follows:
- COFA History: with special guests Jiji Jally of the Marshallese Women’s Association, and FSM Consul General Joe Enlet
- Justice and Representation: with special guest Justice Mary Yu
- Justice and Representation: with special guest Judge Fa’amomoi Masaniai
- Constructs of Hate: with special guests Grace Huang of the Asian Pacific Institute on Gender-Based Violence, DeAnn Alcantara-Thompson of API Chaya, Assistant U.S. Attorney Ye-Ting Woo, and Joan Braune of Gonzaga Institute for Hate Studies
- A&PI Health: with special guest Secretary of Health Dr. Umair Shah
  - We will be doing a follow-up Conversations with CAPAA with Secretary Shah in July

**ANHPI Legislative Town Hall**
The Asian Pacific Islander Coalition of Washington State (APIC-WA) and CAPAA co-sponsored a legislative town hall on May 26th. Invitations were sent to all Asian American legislators currently serving in the state legislature; seven legislators RSVP’d and spoke to about 100 town hall attendees. The town hall was also livestreamed to ACRS’s Facebook Live, which CAPAA shared to our page.

**Facing the Mountain Book Launch**
CAPAA supported Densho’s free virtual book launch event for Facing the Mountain, a new book about WWII Japanese American incarceration and the 442nd RCT by Daniel James Brown, NY Times bestselling author of The Boys in the Boat. The virtual event will feature a conversation between Brown and Denso Executive Director Tom Ikeda, who has conducted oral histories with many of the men highlighted in the book.

5. ANHPI Heritage Month
CAPAA participated in a number of activities in recognition and celebration of AANHPI Heritage Month, including:

- Weekly Conversations with CAPAA Facebook Live series, featuring Jiji Jally of the Marshallese Women’s Association, FSM Consul General Joe Enlet, Supreme Court Justice Mary Yu, King County District Court Judge Fa’amomoi Masaniai, Grace Huang of the Asian Pacific Institute on Gender-Based Violence, DeAnn Alcantara-Thompson of API Chaya, Assistant U.S. Attorney Ye-Ting Woo, and Joan Braune of Gonzaga Institute for Hate Studies.
- CAPAA and APIC convened a legislative town hall with seven Asian American legislators to update the community on APIC’s legislative priorities.

6. COVID-19

COVID-19 Vaccine Distribution
The COVID-19 Vaccine is now available to anyone 12 years and up who works or lives in Washington state. Vaccination data can be found on the Department of Health’s vaccination data dashboard. As of June 14, about 53.8% of the total population of the state has had at least one shot.

The Pacific Islander Community Association (PICA) launched their vaccination toolkit, Woven with Elders. The toolkit includes culturally accessible information, fact sheets, and FAQs for NHPI community organizations. CAPAA has shared the toolkit to our social media and our newsletter.

7. 2021 LEGISLATIVE & BUDGET PRIORITIES

The 2021 Legislative Session convened Monday, January 11th, and ended on Sunday, April 25th. During bill signings, Governor Inslee has mentioned that he hopes to call a special legislative session around September to strike a deal on a transportation budget package.

2021 Budget
The 2021-2023 budget looks good for CAPAA. No cuts were made to CAPAA’s general appropriations, and no furloughs are expected for the next fiscal year.

CAPAA is named on a number of pieces of legislation, primarily as a member of work groups. The sections pertaining to CAPAA are as follows:

- Section 129
  - Subsection (107) establishes a state creative economy work group that within two years would develop a strategic plan to improve the creative economy. CAPAA would be required to serve on the work group.
  - Subsection 89(2) provides funding to the Department of Commerce (COM) to conduct a comprehensive equity review of state grants programs administered by COM. COM must collaborate with CAPAA and other agencies to conduct a community engagement process to inform the review.
- Section 131(12) provides funding to OFM to provide recommendations on the procedure for providing an equity impact statement for legislative proposals. OFM must submit a report of its findings to CAPAA and other agencies.
• Section 305(2) provides funding to the Recreation and Conservation Office (RCO) to conduct a comprehensive equity review of state grants programs administered by RCO. RCO must collaborate with CAPAA and other agencies to conduct a community engagement process to inform the review.

• Section 951(1) establishes a K-12 basic education compensation advisory committee. The superintendent of public instruction would consult with CAPAA and others to appoint the twelve members of the committee.

• Beginning June 19th (Juneteenth) 2022 set to become a new state holiday.

The following is the status of bills which were adopted as CAPAA’s legislative priorities for the 2021 Legislative Session:

Civil Rights & Immigration Committee

HB 1264 (Thai): Establishing an equity impact statement for legislative proposals.
- Requires legislation with a fiscal impact statement to also conduct racial/equity impact assessments
- Assessments will also be at request of legislators, regardless of fiscal impact.
Status: died in House Appropriations Committee.

HB 1082 (Goodman)/SB 5051 (Pedersen): Concerning state oversight and accountability of peace officers and corrections officers.
- Modifies the priorities and composition of the Criminal Justice Training Commission (CJTC).
- Expands the background investigation requirements for persons applying for peace officer, reserve officer, and corrections officer positions.
- Expands the conduct for which the certification of a peace officer or a corrections officer may be revoked.
- Requires employing agencies to report all separation and disciplinary matters regarding a certified officer to the CJTC.
- Removes confidentiality of complaints, investigations, and disciplinary actions for certified officers and requires information be maintained on a publicly searchable database.

HB 1054 (Johnson): Establishing requirements for tactics and equipment used by peace officers.
- Prohibits peace officers from using chokeholds and neck restraints.
- Prohibits peace officers from using unleashed police dogs to arrest or apprehend persons.
- Prohibits law enforcement agencies from acquiring or using tear gas and certain types of military equipment.
- Prohibits uniformed peace officers from intentionally covering, concealing, or obscuring the number or other identifying information on their badges.
- Prohibits a peace officer from seeking, and a court from issuing, a search or arrest warrant granting an express exception to the "knock and announce" rule.
- Establishes restrictions on vehicular pursuits.

SB 5055 (Nguyen): Concerning law enforcement personnel collective bargaining.
- Establishes an arbitrator selection procedure for grievance arbitrations for law enforcement personnel that applies to all disciplinary grievance arbitrations heard on or after January 1, 2022.
- Requires the Public Employment Relations Commission to appoint a roster of nine arbitrators who hear disciplinary grievances for law enforcement personnel on a rotating basis.
• Prohibits a public employer of law enforcement personnel from entering into a collective bargaining agreement that prevents implementation of, alters, or suppresses a city or county ordinance or charter that establishes civilian review of the discipline of law enforcement personnel. Status: Signed by Governor Inslee. Effective date 7/25/2021.

HB 1267 (Entenman): Concerning investigation of potential criminal conduct arising from police use of force, including custodial injuries, and other officer-involved incidents.
• Creates the Office of Independent Investigations

Supporting community-based organizations
• Fund community practices across the state that will advance racial equity in the state's funding decisions and further investments
• Department of Commerce will work directly with community leaders and orgs to support these robust strategies and fund community capacity building assistance

**Economic Development Committee**

HB 5010 (Das): Prohibiting the use of credit scores to determine rates for personal lines of insurance.
• Prohibits the use of credit history in determining rates or premiums for personal insurance (auto, homeowner, renter, and boat insurance)
Status: Pulled from Rules Committee, but was not heard before cut-off; died in Senate Rules Committee. *Note: This bill was significantly amended in the Senate Business, Financial Services, and Trade Committee. A news release from the Office of the Insurance Commissioner, who had originally requested the bill, condemned the changes made to the bill.*

SB 5188 (Kuderer): Concerning the creation of the Washington state public bank.
• Authorizes a public financial cooperative as a membership organization to lend to local and tribal governmental entities.
Status: Died in House Rules Committee.

HB 1297 (Thai)/SB 5387 (Nguyen): Concerning working families tax exemption.
• Expands the Working Families' Tax Exemption (WFTE) to include those with individual taxpayer identification numbers who would otherwise be eligible for the federal earned income tax credit.
• Restructures the WFTE program, including remittance calculations.
• Eliminates the requirement that the Legislature provide an appropriation in the state omnibus appropriations act before a person may claim the WFTE

Maintain the Washington COVID-19 Immigrant Relief Fund
• Fund the Washington Immigrant Relief Fund
• ESD & DSHS will conduct a feasibility study on how to replicate the state's unemployment insurance program and other social safety nets to individuals regardless of citizenship status

Increase minority contractors
• Fund the Business Diversity Management System, which measures and tracks the state’s progress toward equity in public spending and state contractors
• OMWBE will launch the Washington State Toolkit for Equity in Public Spending to support state agencies and educational institutions

Support financial literacy
The Department of Financial Institutions will create a diversity, equity and inclusion staff position dedicated to working with financial institutions; federal, state and local government agencies; and community partners.

Support career development
- Continue and expand WSDOT's pre-apprenticeship program
  - Awards groups that provide outreach, pre-apprenticeship training and supportive services to underrepresented populations in the construction trades
  - Pre-apprenticeship training in one or more highway construction trades
  - Support services that may include assistance with transportation, child care, basic tools and housing. Typically, women, minorities, veterans, and other disadvantaged individuals need these barrier-reducing supports to enter and succeed in apprenticeships
  - Mentorship and retention training
  - Cultural competency training to foster and encourage a safe and welcoming worksite for every person working Department of Transportation construction projects

**Education Committee**

SB 5044 (Das): Concerning professional learning, equity, cultural competency, and dismantling institutional racism in the public school system.
- Adds equity, diversity, inclusion, and anti-racism to existing cultural competency training for school board directors, district staff, and school staff.
- Directs school districts to prioritize one of three professional learning days to focus first on these topics.

HB 1153 (Orwall): Increase language access in public schools.
- Requires school districts to implement a language access program that includes:
  - Administer a self-assessment
  - Develop and implement a language access policy, procedures and plan
  - Districts with at least 50 percent English Language Learners or greater than 75 languages spoken by students or families, must have either a full-time language access coordinator OR annually report to OSPI the total number of hours district staff spent performing the language access coordinator duties
Status: Died in House Appropriations Committee.

Invest to close the digital divide
- Fund residential broadband connections for families who cannot afford connection services in their area
- Contract with a nonprofit entity to support a digital navigator program in 10 regions across the state, with two navigators in each region, to provide 1-1 digital skills to support individual seeking work, families with students in K-12, ELL individuals, and older Washingtonians
- The Governor’s budget proposed more than $3 million (operating) to expand the Washington State Broadband Office. This would go toward increasing broadband access throughout the state, enhancing digital inclusion and equity, and fostering regional broadband advisory team efforts.
- The Governor’s budget also proposed $45 million (capital) for additional broadband infrastructure projects, with some of those funds potentially unlocking federal broadband funding.

Remove barriers to financial aid
- Fund the Aim Higher Free Application for Federal Student Aid initiative
Advance equity on college campuses

- Establish a new center for diversity, equity, and inclusion that sets up collaborative reviews of the curriculum, and removes equity barriers to student success
- Fund technology grants and faculty stipends to conduct curriculum changes on college campuses
- Convert technical and laboratory-based instructions to an interactive online format
- Fund Eastern Washington University, Central Washington University, The Evergreen State College, and Western Washington University DEI efforts
- Expand recruitment and outreach efforts to historically underserved students and faculty, increase student supports and mental health counseling, establish a new Native pathways Program and Ethnic Studies Program, and establish a new student center

Improve equity outcomes for foster and homeless students

- Provide grants, mentorship, and student support services to college students or apprentices who experienced foster care or homelessness
- Fund Passport to Careers Program, which serves students who lack family and financial support to complete their educational pathway

Expand outdoor recreation equity

- Statewide outdoor school
  - $90,000 for Western Washington University to explore the possibility and benefits of expanding outdoor residential school programs
  - Explore the COVID-19 impacts on institutions that provide participants with outdoor learning
  - Recommendations will center on using physical activity and exposure to natural settings to improve health disparities and accelerate learning for historically underserved populations
- Access outdoor recreation
  - State Parks and Recreation Commission will facilitate a work group with CAAA to identify inclusion barriers
- Physical Activity and School Facilities Task Force
  - $175,000 for the Recreation and Conservation Office to lead a task force that consider ways the state can improve equitable access to K-12 schools’ fields and athletic facilities, and local parks’ agency facilities
  - The task force will consider joint use agreements, partnerships, scheduling practices with local parks agencies including facility rental fees, and other strategies.
  - The goal is to increase physical activity for youth and families.

Health & Human Services Committee

SB 5105 (Hasegawa): Implementing the recommendations of the office of equity task force.

- Requires the Governor appoint the director of the Office of Equity (Office) based on recommendations provided by the Community Advisory Board (Board).
- Requires the Office report on barriers for community participation on boards and commissions in its October 31, 2022 report.
- Provides the Office with certain rulemaking authority.
- Creates the Board to advise the Office on its priorities and timelines.
- Requires state agencies to: designate a diversity, equity, and inclusion liaison; apply an equity lens to agency decision-making; develop plans for diversity, equity, and inclusion and for language access; provide data and information to the Office; and collaborate with the Office to develop performance measures.
• Requires the Washington State Institute for Public Policy evaluate the implementation of the Office and report to the Governor and Legislature by October 31, 2025.

Status: Died in Senate Ways & Means Committee.

HB 1182 (Orwall)/SB 5209 (Dhingra): Enhancing and expanding behavioral health and suicide prevention crisis response services.

• Directs the Department of Health to designate crisis hotline centers that meet standards related to technology and the ability to identify and deploy community crisis resources for persons experiencing a behavioral health crisis.
• Requires behavioral health administrative services organizations to have community-based rapid crisis response services for persons who contact the 988 Crisis Hotline in need of stabilization services.
• Establishes a 988 Crisis Hotline System Director to provide direction and oversight in the implementation and administration of the 988 Crisis Hotline and behavioral health crisis system.
• Creates an implementation coalition to monitor the implementation of the 988 Crisis Hotline System and the improvements to behavioral health crisis services.
• Establishes the Statewide 988 Behavioral Health Crisis Response Line Tax on phone lines to fund the crisis hotline centers and response services.

Status: Both versions died in their house of origin standing committee.

HB 1191 (Thai): Ensuring equity in health coverage.

• Creates a state-only Medicaid lookalike program available to all state residents, regardless of immigration status.

Status: Died in House Health Care and Wellness Committee.

SB 5141 (Saldaña): Implementing the recommendations of the environmental justice task force.

• Requires the Puget Sound Partnership and the departments of Agriculture, Commerce, Ecology, Health, Natural Resources, and Transportation (covered agencies) to complete environmental justice assessments when considering significant agency actions and to incorporate environmental justice principles into agency budget and fiscal processes.
• Encourages other state agencies to apply the principles of environmental justice in the implementation of their agency functions, and authorizes other state agencies to opt in to the environmental justice requirements applicable to covered agencies.
• Requires covered agencies to create and adopt a community engagement plan for engaging with overburdened communities and vulnerable populations in the evaluation of existing and new programs and activities.
• Requires covered agencies to offer consultation with Indian tribes on decisions that affect tribes’ rights and interests in tribal lands.
• Establishes an environmental justice council with specified membership, staffed by the Department of Health, and which is assigned specified advisory and oversight responsibilities for covered agencies' implementation of environmental justice activities.
• Requires the Department of Health to continue to develop and maintain an environmental health disparities map.


Invest in environmental justice

• Improve air quality and climate resilience in the most impacted communities by putting a cap on greenhouse gas emissions and supporting project investments that make communities more resilient to climate change impacts.
• Ensure that the benefits of the clean energy transition are equitably distributed so that vulnerable populations aren’t left behind.
• Give overburdened communities a voice with a formal advisory role in climate governance by creating a permanent Environmental Justice and Equity Advisory Panel.
• Incorporate environmental justice into environmental and economic development agency staffing and programs, and require that investments in climate change projects, programs and activities undergo an environmental justice analysis.

Invest in communities most impacted by climate change
• Any investment from the newly created climate investment account should undergo an environmental justice analysis
• Ensure that funds are directed toward eliminating environmental harm and economic and health disparities for vulnerable populations and overburdened communities

Misc.

Asia Pacific Cultural Center capital budget request for Commerce Building Communities Fund allowance: FUNDED.

The following are additional bills that have been voted on by the Ad Hoc Legislative Committee as priorities for CAPAA:

HB 1090 (Ortiz-Self): Concerning private, for-profit detention facilities.
• Prohibits a person, business, or state or local government from operating or using contracts with private detention facilities, except as provided.
Status: Signed by Governor Inslee. Effective date 4/14/2021.

HB 1092 (Lovick)/SB 5259 (Nobles): Concerning law enforcement data collection.
• Requires the Office of the Attorney General to establish an advisory group to make recommendations for the design, development, and implementation of a statewide program for collecting, reporting, and publishing use of force data by April 1, 2022.
• Requires the Office of the Attorney General to engage in a competitive procurement process to select a Washington private or public institution of higher education to implement the statewide use of force data program.
• Requires law enforcement agencies to report all instances of the use of force by no later than three months after the Office of the Attorney General determines the statewide use of force data program can accept reports.

SB 5405 (Hasegawa): Instructing the joint legislative audit and review committee to perform racial equity analyses.
• Requires the Joint Legislative Audit and Review Committee (JLARC) to incorporate a racial equity analysis into its performance audits, sunset reviews, and other evaluations conducted by the JLARC, with exceptions.
• Requires the JLARC to provide a racial equity analysis by December 21, 2021, on the impact of in-person restrictions within the K-12 education system since the proclaimed state of emergency issued in response to COVID-19.

HB 1318 (Pollet)/SB 5194 (Liias): Providing for equity and access in the community and technical colleges.
• Requires development of a diversity, equity, and inclusion strategic plan.
- Defines required elements of Guided Pathways implementation and requires a WSIPP evaluation.
- Provides for hiring 200 full-time faculty over three years.
- Creates a grant program for additional mental health counselors.
- Modifies residency requirements.


HB 1129 (Valdez): Concerning the licensure of international medical graduates.
- Authorizes the Washington Medical Commission to issue limited licenses to international medical graduates.
- Authorizes the Washington Medical Commission to issue limited licenses to persons who have been accepted for employment as physicians by the Department of Children, Youth, and Families.


HB 1091 (Fitzgibbon): Reducing greenhouse gas emissions by reducing the carbon intensity of transportation fuel.
- Directs the Department of Ecology (Ecology) to adopt rules establishing a Clean Fuels Program (CFP) to limit the aggregate, overall greenhouse gas (GHG) emissions per unit of transportation fuel energy to 10 percent below 2017 levels by 2028, and 20 percent below 2017 levels by 2035.
- Directs Ecology to update, prior to 2032, CFP rules to further reduce GHG emissions from each unit of transportation fuel for each year through 2050, consistent with statutory state emission reduction limits.
- Excludes exported fuel, fuel used by vessels, railroad locomotives, and aircraft, and certain other categories of transportation fuel from the CFP's GHG emission intensity reduction requirements.
- Requires the CFP to include processes for registering, reporting, and tracking compliance obligations and to establish bankable, tradeable credits used to satisfy compliance obligations.
- Retains the current distribution of revenue under the 2015 Transportation Revenue Package, eliminating changes that would have been triggered as a result of the establishment of a CFP.


HB 1260: Closing the digital divide by establishing excise taxes on telecommunications services to fund the expansion of the universal service programs in Washington.
- Establishes the Digital Equity Opportunity Grant Program and the Digital Equity Planning Grant Program.
- Creates the Digital Equity Forum.

Status: Died in House Rules Committee.

SB 5438 (Saldaña): Providing unemployment benefits to workers who are unemployed as a result of the COVID-19 pandemic and not eligible for unemployment benefits due to immigration status.
- Establishes the Washington income replacement for immigrant workers program, which provides certain unemployment benefits to workers excluded from state unemployment insurance benefits due to immigration status and as a result of COVID-19.
- Creates the unemployment benefits for undocumented workers account.
- Directs the Department of Labor and Industries to develop proposals for certain permanent and interim programs.

Status: Died in Senate Labor, Commerce, and Tribal Affairs Committee.

The following bill was voted on by Ad Hoc Legislative Committee as one we should oppose:

HB 1071 (Valdez): Concerning bias-based criminal offenses.
- Includes Hate Crime Offense in the list of crimes against persons.
• Creates a new statutory aggravating circumstance applicable when an offense other than a Hate Crime Offense was motivated by the defendant's perception of the victim's race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression or identity, or mental, physical, or sensory disability.

Status: Died in House Rules Committee.

The following were identified during the January Board Meeting as issues we will oppose, but were not introduced during legislative session:

• WASPC police reform bill naming CAPAA
• Cuts to funding for COFA Health Care & Dental

8. **2021 API DATA PROJECT (NEEDS ASSESSMENT PART III)**

In early December, CAPAA finalized a contract with KAYA Strategik to capture API community demographical information based on data from the 2020 Census. This is the third installment of a quadrennial needs assessment of the API community as funded by the state. However, due to news from the U.S. Census Bureau that 2020 Census data would not be released until September 2021. Because of this delay, the contract was amended to draw from Census data not limited to just the 2020 Census, which will allow KAYA Strategik to draw from data from the American Community Survey, which is conducted every month.

The project will focuses on data analysis and a summary report interpreting the data. Areas of analysis include ANHPI demographic information, including median household income, poverty, languages, and LEP households; the pay gap between ANHPI subgroups and genders, and compared to white communities; and education outcomes of ANHPI subgroups, percentage who go to college, and percentage eligibility for free lunch.

Additionally, CAPAA is in conversation about a secondary project focused specifically on redistricting when the 2020 Census data is made available in the Fall.

9. **UPCOMING EVENTS**

**September Public Board Meeting – Yakima County (Elections)**
Saturday, September 18, 2021
10:00 – 2:00
Fil-Am Yakima
211 W 2nd St. Wapato, WA 98951

**November Public Board Meeting – Snohomish County**
Saturday, November 20, 2021
10:00 – 2:00
Everett Community College (Exact Room TBD)